

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

In the Matter of )

MARITIME COMMUNICATIONS/LAND )  
MOBILE, LLC )

EB Docket No. 11-71  
File No. EB-09-IH-1751  
FRN: 0013587779

Participant in Auction No. 61 and Licensee of Various )  
Authorizations in the Wireless Radio Services )

Applicant for Modification of Various )  
Authorizations in the Wireless Radio Services )

ENCANA OIL AND GAS (USA), INC.; )  
DUQUESNE LIGHT COMPANY; DCP )  
MIDSTREAM, LP; JACKSON COUNTY RURAL )  
MEMBERSHIP ELECTRIC COOPERATIVE; )  
PUGET SOUND ENERGY, INC.; ENBRIDGE )  
ENERGY COMPANY, INC.; INTERSTATE POWER )  
AND LIGHT COMPANY; WISCONSIN POWER )  
AND LIGHT COMPANY; DIXIE ELECTRIC )  
MEMBERSHIP CORPORATION, INC.; ATLAS )  
PIPELINE – MID CONTINENT, LLC; DENTON )  
COUNTY ELECTRIC COOPERATIVE, INC., )  
DBA COSERV ELECTRIC; AND SOUTHERN )  
CALIFORNIA REGIONAL RAIL AUTHORITY )

Application File Nos.  
0004030479, 0004144435,  
0004193028, 0004193328,  
0004354053, 0004309872,  
0004310060, 0004314903,  
0004315013, 0004430505,  
0004417199, 0004419431,  
0004422320, 0004422329,  
0004507921, 0004153701,  
0004526264, 0004636537,  
and 0004604962

For Commission Consent to the Assignment of )  
Various Authorizations in the Wireless Radio )  
Services )

FILED/ACCEPTED

JUN 13 2011

Federal Communications Commission  
Office of the Secretary

To: Marlene H. Dortch, Secretary

Attention: Richard L. Sippel, Chief Administrative Law Judge

**OPPOSITION**

By their attorneys and pursuant to Section 1.294 of the rules and regulations of  
the Federal Communications Commission ("Commission"),<sup>1</sup> Atlas Pipeline – Mid

<sup>1</sup> 47 C.F.R. § 1.294 (2011).

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ISABODE

Continent, LLC (“Atlas”); DCP Midstream, (“DCP”); Denton County Electric Cooperative, Inc. d/b/a CoServ Electric (“CoServ”); Dixie Electric Membership Corporation, Inc. (“DEMCO”); Enbridge Energy Company, Inc. (“Enbridge”); EnCana Oil and Gas (USA), Inc. (“EnCana”); Interstate Power and Light Company (“IPL”); Jackson County Rural Membership Electric Cooperative (“Jackson County REMC”); and Wisconsin Power and Light Company (“WPL”) (collectively, “Utility Parties”) hereby submit this Opposition to the following pleadings filed by the Havens Parties (as defined in footnote 2 below) in the captioned proceeding:<sup>2</sup> (i) Request for Admissions and Request for Documents (“Request”); and (ii) Motion to Enlarge Issues (“Issues Motion”). As detailed in their Motion to Adopt Protective Order and To Bifurcate Hearing, filed concurrently herewith in this proceeding (“Motion”), any discovery propounded at this time against the Utility Parties is premature and irrelevant.

The Utility Parties oppose being required to respond to any requests for admissions or for production of documents made in the Request and they oppose the addition of any issues related to their qualifications. Moreover, in view of this Opposition, none of the matters for which admission is sought by a Utility Party in the Request should be deemed to have been admitted.<sup>3</sup>

This hearing was commenced to determine the qualifications of Maritime

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<sup>2</sup> The Havens Parties are Environmental LLC; Verde Systems LLC; Intelligent Transportation & Monitoring Wireless LLC; Telesaurus Holdings GB LLC; V2G LLC; Skybridge Spectrum Foundation; and Warren Havens.

<sup>3</sup> See 47 C.F.R. § 1.246 (2011).

Communications/Land Mobile, LLC (“MC/LM”) to be a Commission licensee.<sup>4</sup> All the issues designated in the captioned HDO relate to these qualifications. None of the issues designated for hearing in the HDO relate in any way to the qualifications of the Utility Parties or to their relationships with MC/LM.

For the reasons set forth above and in the Motion, the Presiding Judge should rule that the Utility Parties do not need to respond to the Request in any manner and the Presiding Judge should deny the Issues Motion.<sup>5</sup> The objectives of this proceeding will not be furthered by subjecting the Utility Parties to the time-consuming and costly discovery attendant upon responding to the Request or upon dealing with the additional, irrelevant issues sought to be added in the Issues Motion.

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<sup>4</sup> Order to Show Cause, Hearing Designation Order, and Notice of Opportunity for Hearing (“HDO”) at para. 1.

<sup>5</sup> In the Motion, the Utility Parties also requested that the Presiding Judge bifurcate the hearing pending adjudication of MC/LM’s qualifications. Motion at 4-5. Once that phase of the hearing is completed, the Presiding Judge, based upon the hearing record, can determine if any issues remain unresolved that pertain to the Utility Parties, and, if so, then the Havens Parties will be given ample opportunity to conduct discovery and seek addition of issues with respect thereto.

WHEREFORE, for the foregoing reasons, the Utility Parties respectfully request:

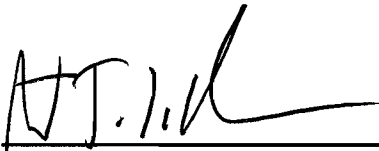
- (i) that the Presiding Judge order that they do not have to respond to the Request; and
- (ii) that the Presiding Judge deny the Issues Motion.

Respectfully submitted,



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June 10, 2011

## **CERTIFICATE OF SERVICE**

I hereby certify that on this 10th day of June, 2011, I served copies of the foregoing "Opposition" by overnight delivery upon the parties listed below:

Honorable Richard L. Sippel\*  
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